

**Department of Energy**

Washington, DC 20585

MAR 3 2003

Mr. Michael Carone
Office of Licensing and Review
U.S. Patent and Trademark Office
Technology Group 3600
Crystal Park 5
Arlington, Virginia

Re: Blanket Exemption from Requirements Under §42 U.S.C. 2182 for Incyte Genomics, Inc.

Dear Mr. Carone:

The U.S. Department of Energy (DOE) wished to grant Incyte Genomics, Inc. (Incyte) a blanket exemption from the requirements under §42 U.S.C. 2182 for their patent applications disclosing inventions involving radionuclides. This blanket exemption is granted based on assertions set forth in Incyte's letter to DOE dated February 25, 2003. No blanket exemption is granted from the requirements of any other statute, including the security review statute, §42 U.S.C. 2181.

This blanket exemption will be effective from the date of this letter for one (1) calendar year (the "Blanket Exemption Period"), and covers all Incyte patent applications now pending before the U.S. Patent and Trademark Office and will cover all Incyte patent applications filed within the Blanket Exemption Period. Therefore, the Blanket Exemption Period ends on February 26, 2004. For the Blanket Exemption Period, Incyte will include a copy of this letter with all applicable applications. This blanket exemption may be renewed for successive one (1) year periods upon Incyte's request, subject to DOE approval. DOE will notify your office in writing of such renewals, if granted.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul A. Gottlieb".

Paul A. Gottlieb
Assistant General Counsel
for Technology Transfer
and Intellectual Property
(202) 586-2802

